

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

GILEAD SCIENCES, INC., *et al.*,

Plaintiffs,

v.

MERITAIN HEALTH, INC., *et al.*,

Defendants.

Case No. 24-CV-3566-JRR

STIPULATION AND ORDER OF INJUNCTION

WHEREAS, Plaintiffs Gilead Sciences, Inc. and Gilead Sciences Ireland UC (together, “Gilead” or “Plaintiffs”) recently filed their First Amended Complaint adding the “New Defendants” (CanaRx Services, Inc.; CanaRx Group, Inc.; CRX International, Inc.; Giles Robert Howard; John Howard; ElectRx and Health Solutions, LLC; Jeffrey Dinsmore; ScriptSourcing, LLC; and Gary Becker) (DE 296) (collectively, “the Parties”);

WHEREAS, on October 12, 2025, the Court granted Plaintiffs’ Motion for Expedited Entry of Order to Show Cause to the extent that it sought leave to file an Amended Complaint (DE 277), reserving its ruling on the remainder of the relief Plaintiffs sought in DE 277, which included seeking a Temporary Restraining Order (“New TRO Motion”), an Expedited Discovery Order, and Order to Show Cause for a Preliminary Injunction -- all against the New Defendants. (DE 295.) Plaintiffs filed their First Amended Complaint on the same day, *see* DE 296, and, on October 20, 2025, the Court scheduled a hearing on the New TRO Motion for October 23, 2025. (*See* DE 305.)

WHEREAS, at the end of the New TRO Motion hearing on October 23, 2025, the Court issued a Temporary Restraining Order against the New Defendants, as reflected in DE 326. The



Order also set a hearing on the Motion for Preliminary Injunction for December 8, 2025, *see id.*, and the Court issued an Amended Expedited Discovery Order as well. (*See* DE 327.)

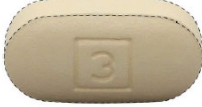


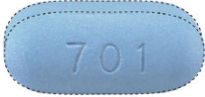
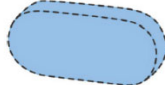
WHEREAS, the Parties wish to avoid burdening the Court with further briefing and hearings regarding DE 295.

IT IS HEREBY STIPULATED AND AGREED by the Parties, through their undersigned counsel, and subject to the approval of the Court that:

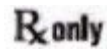
A. Pending further order of the Court, New Defendants, and their principals, officers, agents, directors, members, servants, employees, successors, assigns, and all other persons or entities acting in concert or participation with any of them, whether acting directly or indirectly, are hereby restrained and enjoined from engaging in any or all of the following acts in United States commerce:

1. Importing, advertising the importation of, or otherwise facilitating the importation of product bearing a Gilead Mark (as defined herein) into the United States from outside the United States. The “Gilead Marks” are defined as the following:

Trademark	Registration Number(s)	Registration Date
GILEAD	3,251,595	6/12/2007
	2,656,314	12/3/2002
GSI	3,890,252	12/14/2010
BIKTARVY	5,344,455	11/28/2017
DESCOVY	4,876,632	12/29/2015
DESCOVY FOR PREP	5,912,591	11/19/2019
AMBISOME	1,598,121	5/29/1990
9883	5,467,392	5/15/2018
	5,636,131	12/25/2018
7977	4,585,257	8/12/2014

Trademark	Registration Number(s)	Registration Date
TRUVADA	2,915,213	12/28/2004
SOVALDI	4,468,665	1/21/2014
STRIBILD	4,263,613	12/25/2012
	6,031,751	4/14/2020
VOSEVI	5,259,592	8/8/2017
	5,030,567	8/30/2016
	5,018,106	8/9/2016
	5,154,303	3/7/2017
	5,906,177	11/12/2019
GENVOYA	4,797,730	8/25/2015

2. Purchasing, selling, distributing, marketing, manufacturing, offering for sale, or otherwise using in United States commerce, or facilitating the importation into the United States, any product bearing a Gilead Mark that has any of the following characteristics:

- a. The labeling is not exclusively in the English language; or
- b. The packaging is not exclusively in the English language; or
- c. The Patient Information document included with the product is not exclusively in the English language; or
- d. The labeling does not bear either the words “Rx only” or the symbol ; or
- e. The labeling does not bear an NDC number; or
- f. The labeling provides temperatures exclusively degrees Celsius and does not also provide temperatures in degrees Fahrenheit; or

- g. The Patient Information document included with the product does not bear the phrase “This Patient Information has been approved by the U.S. Food and Drug Administration”; or
 - h. The labeling does include the phrase “GILEAD ACCESS PROGRAM.”
3. Removing from their premises, or discarding, destroying, transferring or disposing in any manner any information, computer files, electronic files, WhatsApp or text messages, business records (including, but not limited to, e-mail communications) or other documents relating to the New Defendants’ assets and operations or relating in any way to the purchase, sale, manufacture, offer for sale, distribution, negotiation, importation, advertisement, promotion, or receipt of any products bearing any of the Gilead Marks; and
4. Assisting, aiding, or abetting any other person or business entity in engaging in or performing any action prohibited herein.

B. For the avoidance of doubt, nothing in the Stipulated PI Order as set forth in subparagraphs 1 through 4 above restricts any New Defendant from purchasing, selling, distributing, marketing, offering for sale, or otherwise using in United States commerce, any Gilead-branded medicine obtained from Gilead’s authorized U.S. distributors as listed on Gilead’s website, <https://www.gilead.com/medicines/authorized-distributors>.

C. The Amended Expedited Discovery Order (DE 327), order setting a briefing schedule for the Preliminary Injunction hearing (DE 326), and order setting the December 8, 2025 Preliminary Injunction Hearing (*id.*) are vacated as *moot*.

D. New Defendants retain their right to answer, move, or otherwise plead in response to the First Amended Complaint pursuant to Fed. R. Civ. P. 12, including, but not limited to, the right of any or all New Defendants to move to dismiss for lack of personal jurisdiction. By entering

this Stipulation and consenting to entry of this Stipulated PI Order, the New Defendants do not waive any personal jurisdiction defense. This Stipulation does not revive the right to assert any defense that was waived prior to the parties entering this Stipulation through actions unrelated to negotiating and entering this Stipulation.

E. Plaintiffs and New Defendants reserve the right to seek leave of the Court to dissolve or otherwise amend this Stipulated PI Order for good cause.

IT IS SO STIPULATED.

Date: October 31, 2025.

/s/ Geoffrey Potter

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SO ORDERED, this October 31, 2025.

/s/

The Honorable Julie R. Rubin
United States District Judge